



State of California—Health and Human Services Agency
California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

April 15, 2009

VENDOR ALERT 2009-06

TO: ALL WIC VENDORS
SUBJECT: NEW VENDOR AGREEMENTS

Purpose

I am writing to inform you of several events concerning your vendor authorization. First, the Women, Infants, and Children (WIC) Program will be sending new Vendor Agreements to all authorized vendors in the summer of 2009 to implement new federal requirements. Also, above-50% vendors (Peer Group 1) will be receiving a revised Vendor Agreement Addendum for incentive items. Lastly, if your current Vendor Agreement expires before October 1, 2009, your reauthorization process needs to be completed by the end of June 2009.

Background

Per Article I, Rule 3 of your current Vendor Agreement, you are required to agree to any new requirements during the term of your Vendor Agreement in order to continue as an authorized vendor.

The new Vendor Agreement will reflect the federal requirements from:

- (1) *Revisions in the WIC Food Packages Interim Rule* that was published in the Federal Register / Vol. 72, No. 234, on Thursday, December 6, 2007.
- (2) *Discretionary WIC Vendor Provisions in the Child Nutrition and WIC Reauthorization Act of 2004, Public Law 108-265, Final Rule* that was published in the Federal Register / Vol. 74, No. 3, on Tuesday, January 6, 2009.
- (3) *Clarification on the Use of the WIC Acronym and Logo All States Memorandum 09-06* dated January 16, 2009.

Per the United States Department of Agriculture (USDA), these changes must be implemented by October 1, 2009.



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**Vendor
Implications:**

All authorized vendors will be receiving new Vendor Agreements for signature in the summer of 2009. The process will require that vendors review, sign, date, and return the new Vendor Agreements to the WIC Program in a designated time period. Information and exact timeframes will be provided when the new Vendor Agreements are mailed to you.

**New Vendor
Agreements**

The new Vendor Agreement will be effective October 1, 2009 through your existing contract expiration date. These new Vendor Agreements will not extend the authorization period. The new Vendor Agreements will add new requirements and amend some existing requirements in the following general areas:

- Accepting and redeeming the new food instrument for fruits and vegetables
- Use of the WIC logo and acronym
- Above-50% vendors (Peer Group 1) incentive items and prohibitions

We are not able to provide specific details on the revised Vendor Agreement or the Addendum for Above-50% Vendor to Provide Incentive Items in this Vendor Alert as USDA is currently reviewing and approving those documents.

**Vendor
Implications:**

In addition to the new Vendor Agreements that will be delivered in the summer of 2009:

Reauthorizations

If your Vendor Agreement expires before October 1, 2009, your reauthorization process needs to be completed by the end of June 2009. Please complete and return your reauthorization paperwork within 15 days of receipt of your package. Late submission may be subject to denial of reauthorization.

- Vendors with contracts expiring before October 1, 2009 must have their reauthorization process completed by June 30, 2009 before the mailing of the new Vendor Agreements begins. This is being done in order to avoid any confusion between the "current" and "new" Vendor Agreements.
 - Vendors with contracts expiring after October 1, 2009 will receive another set of the new Vendor Agreements (reflecting their upcoming authorization time period) along with their reauthorization paperwork, typically 60 to 90 days prior to the expiration date of their contract. Reauthorization application packages will continue to provide informational documents and instructions on completion of the required documents.
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Summary

- All authorized vendors will be receiving new Vendor Agreements for signature in the summer of 2009.
- Vendors with contracts expiring **before** October 1, 2009 must have their reauthorization process completed by June 30, 2009.
- Vendors with contracts expiring **after** October 1, 2009 will receive another set of the new Vendor Agreements 60-90 days prior to the expiration date of their contract.
- Above-50% vendors (Peer Group 1) will receive a revised Vendor Agreement Addendum for incentive items.

Questions

I would like to thank you in advance for your cooperation. Aside from details of the requirements in the new, revised Vendor Agreement documents, if you have any questions, please contact your WIC Vendor Consultant directly or call (916) 928-8705.



David Markell, Chief
Vendor Management Branch
California WIC Program